

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 643E

1 WHEREAS, Pat McGrane has submitted an application designated as Special
2 Permit No. 643E for authority to amend Briarhurst West Community Unit Plan to reduce the rear
3 yard setback to 13 feet for an unenclosed deck on property located at 5433 S. 31st Street Court,
4 and legally described as follows:

5 Lot 22, Block 5, Briarhurst West 4th Addition, Lincoln, Lancaster
6 County, Nebraska;

7 WHEREAS, the real property adjacent to the area included within the site plan for
8 this reduction of the rear yard setback will not be adversely affected; and

9 WHEREAS, said site plan together with the terms and conditions hereinafter set
10 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote
11 the public health, safety, and general welfare.

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
13 Nebraska:

14 That the application of Pat McGrane, hereinafter referred to as "Permittee", to
15 amend Briarhurst West Community Unit Plan to reduce the rear yard setback 13 feet for an
16 unenclose deck, on the property legally described above, be and the same is hereby granted under
17 the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon
18 condition that construction and operation of said community unit plan be in strict compliance with
19 said application, the site plan, and the following additional express terms, conditions, and require-
20 ments:

21 1. This permit approves the reduction of the rear yard setback to 13 feet for an
22 unenclosed deck.

23 2. Before receiving building permits the construction plans must conform to the
24 approved plans.

1 3. Before occupying the new deck all development and construction must be
2 completed in conformance with the approved plans.

3 4. All privately-owned improvements must be permanently maintained by the
4 owner or an appropriately established homeowners association approved by the City Attorney.

5 5. The site plan approved by this permit shall be the basis for all interpretations
6 of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar
7 matters.

8 6. The terms, conditions, and requirements of this resolution shall be binding
9 and obligatory upon the Permittee, its successors, and assigns. The building official shall report
10 violations to the City Council which may revoke the special permit or take such other action as may
11 be necessary to gain compliance.

12 7. The Permittee shall sign and return the City's letter of acceptance to the City
13 Clerk within 30 days following approval of the special permit, provided, however, said 30-day period
14 may be extended up to six months by administrative amendment. The City Clerk shall file a copy
15 of the resolution approving the special permit and the letter of acceptance with the Register of
16 Deeds, filing fees therefor to be paid in advance by the Permittee.

17 8. The site plan as approved with this resolution voids and supersedes all
18 previously approved site plans, however, all resolutions approving previous permits remain in force
19 unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor